

### REMARKS

This application has been carefully reviewed in light of the Office Action dated April 15, 2003 (Paper No. 8). Claims 1-60 are pending in this application, of which Claims 1, 4, 6, 15, 21, 27, 33, 39 to 42, 47 and 52 are independent. Claims 41-60 have been added. Claims 1, 4, 6 to 12, 15, 21, 27, 33, 39 and 40 have been amended. Reconsideration and further examination are respectfully requested.

Applicants submit herewith a copy of EP 606,287 cited in the September 16, 2002 Information Disclosure Statement, a copy of which is also enclosed herewith, together with the Form PTO-1449 submitted therewith. Applicants respectfully request the Examiner to initial the appropriate portion of the Form PTO-1449 to indicate that the reference has been considered and made formally of record.

The specification of the present Application is being amended herein to include a reference to prior-filed Application No. 09/414,558 (hereinafter referred to as "Application '558").

As is stated in 66 Fed. Reg. 46409 at 46411 (copy enclosed):

“[i]f an applicant includes a claim to the benefit of a prior-filed nonprovisional application or international application designating the United States elsewhere in the application but not in the manner specified in [37 C.F.R.] § 1.78(a)(2)(i) (i.e., if the claim is included in an unexecuted oath or declaration or the application transmittal letter) within the time period set forth in § 1.78(a)(2)(ii), the Office will not require a petition (and the surcharge under § 1.17(t)) to correct the claim if the information concerning the claim contained elsewhere in the application was recognized by the Office as shown by its inclusion on a filing receipt.”

Applicants referenced Application '558 in the papers submitted at the time of filing of the present Application. More particularly, the patent application transmittal form filed with the present Application (copy enclosed), contained a specific reference to Application '558. This information was recognized by the Patent Office, as evidenced by inclusion of the information on the enclosed copy of the April 24, 2001 Official Filing Receipt. In addition, the Office Action Summary included with the April 15, 2003 Office Action contains an acknowledgment of the claim to domestic priority.

Since a claim to the benefit of the prior-filed nonprovisional Application '558 was made in the application transmittal form filed with the present application within the time period set forth in § 1.78(a)(2)(ii), and the claim was recognized by the Patent Office as evidenced by the April 24, 2001 Official Filing Receipt, no petition is being filed with this Amendment. In addition, the specification is being amended herein to include the domestic claim information previously submitted in the patent transmittal form.

Turning to the objection raised in the Office Action to Claims 7 to 12 and 28. The objection is believed to be obviated by the claim amendments presented herein.

By the Office Action, Claims 1 to 6 were rejected under 35 U.S.C. § 102(b) over WO 95/35534, and Claims 7 to 31 were rejected under 35 U.S.C. § 103(a). More particularly, Claims 9, 10, 13 and 14 were rejected over Combaluzier and U.S. Patent 6,249,644 (Inoue), Claims 7, 8, 11 and 12 were rejected over Combaluzier and U.S. Patent 5,761,485 (Munyan), and Claims 15 to 40 were rejected over Combaluzier and U.S. Patent 6,032,857 (Kitagawa).

The present invention generally concerns a user interface in which indicia is arranged on a card independently of the location of corresponding touch membranes.

More particularly, the indicia relates to functions stored on a memory device associated with the card. The card is inserted into a card reader having a touch sensitive device. The indicia is selectable via a membrane of the touch sensitive device. The membrane is responsive to a touch applied anywhere on the membrane, and the indicia are arranged independently of where the touch is applicable to the membrane to select the indicia.

By virtue of the above-discussed features of the invention, the indicia may be placed at locations other than over or under the membrane of a touch sensitive pad by which the indicia is selected.

#### CLAIMS 1 TO 40

Turning to the specific language of the claims, Claim 1 defines a customizable user interface system, which comprises a card, and a reader device. The card comprises a substrate, a memory device associated therewith, and indicia formed on the substrate and user interpretable to relate to functions stored within the memory. The reader device for the card comprises a touch sensitive device arranged to overlay an inserted card and through which the indicia are visible. According to the invention, the touch sensitive device comprises a membrane via which the indicia may be selected, the membrane is responsive to a touch applied anywhere on the membrane, and the indicia are arranged on the card independently of where the touch is applicable to the membrane to select the indicia.

Claim 4 recites a control template for a user interface system, the template is adapted for use with a reader device including a touch sensitive membrane responsive to a touch applied anywhere on the membrane, the membrane is arranged to

overlay the template when the template is coupled to the reader device the template. The user interface system comprises an electronic card, a plurality of indicia and mapping data. The electronic card is formed of a substrate having associated therewith a memory device. The plurality of indicia is arranged on the substrate independently of where the touch is applicable to the membrane to select the indicia. The mapping data is stored within the memory device and defines a mapped position of each of the indicium relative to the substrate.

Claim 6 defines a read device for a control template interface card having indicia on a surface thereof. The device comprises a touch sensitive membrane and a means for reading a memory device. The touch sensitive membrane is substantially transparent and is arranged to overlay the interface card, the membrane is responsive to a touch applied anywhere on the membrane, the touch is directed to a selected one of the indicia. The means for reading a memory device formed in the interface card is in response to the user's touch on the membrane, wherein the indicia are arranged on the card independently of where the touch is applicable to the membrane to select the indicia.

Claim 15 concerns a smart card to be inserted into a card reader that communicates with a computer device. The card reader comprises a touch sensitive membrane arranged to overlay an inserted smart card and through which indicia on the inserted card are visible, the membrane is responsive to a touch applied anywhere on the membrane. The smart card comprises a memory and indicia on the card. The memory is adapted for storing a command and an address that is pointing to a remote location in a second computer device at which information is stored, wherein the information is accessed via a communication line between the computer device and the second computer

device. One of the indicia on the card is associated with the command, and the indicia is arranged on the card independently of where the touch is applicable to the membrane to select the indicia.

Claim 21 defines a computer device for communicating with a card reader comprising a touch sensitive membrane arranged to overlay an inserted smart card and through which indicia on a surface of the inserted smart card are visible. The membrane is responsive to a touch applied anywhere on the membrane, and the indicia is arranged on the card independently of where the touch is applicable to the membrane to select the indicia. The computer device comprises a processor for receiving a command from the card reader that receives the card that stores the command and an address that is pointing to a remote location in a second computer device at which information is stored, wherein the information is accessed via a communication line between the computer device and the second computer device.

Claim 27 concerns a computer device that communicates with a second computer device via a communication line, and the second computer device communicates with a card reader comprising a touch sensitive membrane arranged to overlay an inserted smart card and through which indicia on a surface of the inserted smart card are visible. The membrane is responsive to a touch applied anywhere on the membrane, and the indicia is arranged on the card independently of where the touch is applicable to the membrane to select the indicia. The computer device comprises a processor adapted to receive a command from the card reader that receives the card that stores the command and an address that is pointing to a remote location in the computer device at which information is

stored, wherein the information is accessed via the communication line between the computer device and the second computer device.

Claim 33 recites a card reader for a card, the card is configured for insertion into the card reader. The card reader comprises a touch sensitive membrane arranged to overlay the card inserted and through which indicia on a surface of the inserted card are visible. The membrane is responsive to a touch applied anywhere on the membrane, and the indicia is arranged on the card independently of where the touch is applicable to the membrane to select the indicia. A processor is adapted to retrieve from a memory of the card an address that is pointing to a remote location in a second computer device at which information is stored and sending a command that is stored in the memory to the second computer device via a first computer device, wherein the information is accessed via a communication line between the first computer device and the second computer device.

Claim 39 defines a computer program to be executed in a computer device for communicating with a card reader comprising a touch sensitive membrane arranged to overlay an inserted card and through which indicia on a surface of the inserted card are visible. The membrane is responsive to a touch applied anywhere on the membrane, and the indicia is arranged on the card independently of where the touch is applicable to the membrane to select the indicia. The computer program comprising code to receive a command from the card reader that receives the card that stores the command and an address that is pointing to a remote location in an another computer device at which information is stored, wherein the information is accessed via a communication line between the computer device and the another computer device.

Claim 40 concerns a computer program to be executed in a computer device that communicates for a second computer device via a communication line, the second computer device communicates with a card reader comprising a touch sensitive membrane arranged to overlay an inserted card and through which indicia on a surface of the inserted card are visible. The membrane is responsive to a touch applied anywhere on the membrane, and the indicia is arranged on the card independently of where the touch is applicable to the membrane to select the indicia. The computer program comprising code to receive a command from the card reader that receives the card that stores the command and an address that is pointing to a remote location in the computer device at which information is stored, wherein the information is accessed via the communication line between the computer device and the second computer device.

Each of the above-discussed claims includes the features by which indicia is selected via a membrane of a touch sensitive device, wherein the membrane is responsive to a touch applied anywhere on the membrane, and the indicia are arranged on the card independently of where the touch is applicable to the membrane to select the indicia.

Combaluzier is not seen to teach or to suggest at least these feature of the claims.

More particularly, Combaluzier is seen to describe a control unit with a transparent keypad, into which a smart card is inserted. The smart card of Combaluzier is seen to include data disposed on the back of the smart card, which when the smart card is inserted into the control unit is subjacent to the transparent keys and is superposed on the transparent keys of the keypad and each key relates to the subjacent data of the memory

card. (See Combaluzier, page 6, line 23 to page 7, line 3, Figures 1, 2, 5, 6 and 7.) Thus, Combaluzier is seen to describe indicia whose arrangement on the card is dependent on the location of the touch areas of the keypad used to select the indicia.

Combaluzier is not seen to teach or to suggest selecting indicia via a membrane of a touch sensitive device, wherein the membrane is responsive to a touch applied anywhere on the membrane, and the indicia are arranged on the card independently of where the touch is applicable to the membrane to select the indicia.

The remaining art applied against one or more of the pending claims, namely Inoue, Munyan and Kitagawa, is not seen to remedy the deficiencies noted with respect to Combaluzier.

As depicted in Figure 3 and described commencing at col. 7, line 31, Inoue is seen to describe a similar arrangement to that described in Combaluzier. More particularly, Inoue is seen to describe an indication of an image frame the location of which depends on the location of a touch switch by which the image frame is selected.

Munyan is seen to describe that indicia identifying a selection is superposed with the touch area used to select the indicia. (See Munyan, Figure 1 and col. 12, lines 20 to 26.) Thus, as with Combaluzier and Inoue, Munyan is seen to describe an arrangement of indicia which is dependent on the location of the touch areas used to select the indicia.

Kitagawa has been reviewed and is also not seen to teach or to suggest selecting indicia via a membrane of a touch sensitive device, wherein the membrane is responsive to a touch applied anywhere on the membrane, and the indicia are arranged on



the card independently of where the touch is applicable to the membrane to select the indicia.

Therefore, for at least the foregoing reasons, Claims 1, 4, 6, 15, 21, 27, 33, 39 and 40 are believed to be in condition for allowance.

Claims 2, 3, 5, 7 to 14, 16 to 20, 22 to 26, 28 to 32 and 34 to 38 are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

#### NEW CLAIMS 41 TO 60

Claim 41 recites a customizable user interface system including a reader device for a card, and the card. The reader device for the card includes a touch sensitive membrane having a plurality of individually selectable touch sensitive areas distributed about the membrane, the membrane is arranged to overlay the card when the card is coupled to the reader device. The card comprises a substrate, a memory device associated therewith, and a plurality of indicia distributed on that surface of the substrate that is arranged to abut the overlying membrane. The indicia is visible through the overlying membrane and having corresponding user interpretable relationships to commands stored within the memory device. The indicia are each individually selectable and are arranged on the substrate of the card independently of locations of the plurality of touch sensitive areas.

Claim 42 defines a customizable user interface system including a reader device for a card and the card. The reader device for the card includes a touch sensitive

membrane having a plurality of individually selectable touch sensitive areas distributed about the membrane, the membrane is arranged to overlay the card when the card is coupled to the reader device. The card comprises a substrate, a memory device associated therewith, and a plurality of indicia distributed on that surface of the substrate that is arranged to abut the overlying membrane. The indicia is visible through the overlying membrane, has corresponding user interpretable relationships to commands stored within the memory device, and each is associated with a corresponding bounding area on the surface. The indicia are each individually selectable and the associated bounding areas are arranged on the substrate of the card independently of locations of the plurality of touch sensitive areas.

Claim 47 concerns a control template for a user interface system, the template is adapted for use with a reader device including a touch sensitive membrane having a plurality of individually selectable touch sensitive areas distributed about the membrane, the membrane is arranged to overlay the template when the template is coupled to the reader device. The template comprises a substrate, a memory device associated therewith, and a plurality of indicia distributed on that surface of the substrate that is arranged to abut the overlying membrane. The indicia is adapted to be visible through the overlying membrane, has corresponding user interpretable relationships to commands stored within the memory device, and each is associated with a corresponding bounding area on the surface. The indicia are each individually selectable and the associated bounding areas are arranged on the substrate of the card independently of locations of the plurality of touch sensitive areas.

Claim 52 defines a reader device for a card, the reader device including a touch sensitive membrane having a plurality of individually selectable touch sensitive areas distributed about the membrane, the membrane is arranged to overlay the card when the card is coupled to the reader device. The card comprises a substrate, a memory device associated therewith, and a plurality of indicia distributed on that surface of the substrate that is arranged to abut the overlying membrane. The indicia is visible through the overlying membrane, has corresponding user interpretable relationships to commands stored within the memory device, and each is associated with a corresponding bounding area on the surface. The indicia are each individually selectable and the associated bounding areas are arranged on the substrate of the card independently of locations of the plurality of touch sensitive areas.

Each of the new claims include the features of a card having a substrate with indicia distributed on the substrate, the indicia has user interpretable relationships to commands stored in a memory device and is visible through an overlying touch sensitive membrane of a card reader device when the card is inserted in the reader, wherein the indicia are each individually selectable and are arranged on the substrate of the card independently of locations of the touch sensitive areas of the touch sensitive membranes used to select the indicia.

The applied art, namely Combaluzier, is not seen to teach or to suggest these features of the claims.

As discussed above, Combaluzier is instead seen to describe an arrangement of indicia that is superposed on the transparent keys used to select the indicia. (See Combaluzier, page 6, line 23 to page 7, line 3, Figures 1, 2, 5, 6 and 7.) Thus,

Combaluzier is seen to describe indicia whose arrangement on the card is dependent on the location of the touch area of keys of the keypad used to select the indicia.

Combaluzier is not seen to teach or to suggest indicia, each of which are individually selectable and are arranged on the substrate of the card independently of locations of the touch sensitive areas of the touch sensitive membrane used to select the indicia.

Based on the above discussion of Inoue, Munyan and Kitagawa, none of these references are seen to teach or to suggest indicia, each of which are individually selectable and are arranged on the substrate of the card independently of locations of the touch sensitive areas of the touch sensitive membrane used to select the indicia.

Therefore, for at least the foregoing reasons, Claims 41, 42, 47 and 52 are believed to be in condition for allowance.

Claims 43 to 46, 48 to 51 and 53 to 60 are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

#### CONCLUSION

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa,  
California office at (714) 540-8700. All correspondence should continue to be directed to  
our below-listed address.

Respectfully submitted,

  
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Attorney for Applicants

Registration No. 39,000

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-2200  
Facsimile: (212) 218-2200

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